The Text

[Introduction]

1. The thing by which the human being excels the rest of the animals is the faculty by which he distinguishes among the causes and objects he deals with and observes in order to be cognizant of what among them is useful so as to prefer and attain it while rejecting and avoiding what is useless. It emerges from potentiality into actuality only through experience, namely, reflection on the particular instances of a thing and passing judgment on its universal characteristics from what is found in these particular instances. Therefore, anyone who attains more of these experiences is more virtuous and perfect in being human. However, the one engaging in these experiences may err in what he does and experiences so that he conceives the thing to be in a different state than it truly is.

There are many causes of error, and they have been enumerated by those who discuss the art of sophistry. It is the wise among the rest of the people who are the ones to have attained experiences that are true and sound. Nevertheless, it is natural for all people to pass a universal judgment after observing a few particular instances—"universal," here, meaning what encompasses all the particular instances of the thing as well as their duration in time. So, once it is observed that an individual has done a single thing on a number of occasions, it is judged that he does that thing all the time. For instance, when someone has spoken the truth one, two, or more times, it is natural to judge that he is unqualifiedly truthful and, likewise, when someone lies. Again, when someone is observed to

act with courage, cowardice, or any other moral habit a number of times, he is judged to do so wholly and always.

The wise, insofar as they are cognizant of this aspect of people's natures, sometimes repeatedly present themselves as possessing a certain state of character so that people will judge that this is how they always are. Then, afterward, they adopt a different state of character; and that goes unnoticed by people who presume they have the same state of character as they had formerly.

It is related, for example, that a certain abstemious ascetic was reputed for his probity, propriety, asceticism, and piety; and he was well known for this among the people. Having become fearful of the unjust sovereign, he wanted to flee from that city of his. The command of that sovereign having been issued to search for and arrest him wherever he was found, he could not leave from any of the city's gates and became apprehensive lest he fall into the hands of the sovereign's men. So he sought out a garment worn by vagabonds, put it on, took a lute[1] in his hand, and came early at night to the gate of the city, pretending to be drunk and singing to the accompaniment of that lute of his. The gatekeeper said to him: "Who are you?" Jokingly, he said: "I am so and so, the ascetic!" The gatekeeper presumed he was poking fun at him and did not interfere with him. So he saved himself without having lied in what he said. [D 125]

2. Our purpose in making this introduction is this: the wise Plato did not permit himself to present and uncover all kinds of knowledge to all people. Therefore he followed the path of using symbols, riddles, obscurity, and difficulty lest knowledge fall into the hands of those not deserving of it and be deformed or into the hands of someone who is not cognizant of its worth or uses it improperly. In this he was correct. Once he knew and became certain[2] that he had become generally known for that and that it was apparent to people that he expressed everything he intended to say through symbols, he would sometimes turn to the thing he wanted to discuss and declare it openly and clearly; but the one who reads or hears his discussion presumes it is symbolic and that he intends a meaning

1. The term is *ṭanbūr*. See Alfarabi, *Kitāb al-Mūsīqā al-Kabīr*, ed. Ghaṭṭās ʿAbd al-Malik Khashaba and Maḥmūd Aḥmad al-Hifnī (Cairo: Dār al-Kitāb al-ʿArabī li-al-Ṭibāʿa wa al-Nashr, n.d.), 629–771; see also Scheherazade Qassim Hassan, "The Long Necked Lute in Iraq," *Asian Music* 13, no. 2 (1982): 1–18.

2. Reading *istayqan* with the Kabul manuscript, instead of *ustubīn* ("it became clear") with Druart and the Leiden manuscript.

different from what he has openly declared. This notion is one of the secrets of his books.

Moreover, no one can grasp what he declares openly and what he states symbolically or in riddles nor distinguish between the two, unless skilled in the science being discussed. This is how his discussion proceeds in the *Laws*.

In this book, we have resolved on extracting the notions to which he alludes and grouping them together treatise by treatise so that it may be an aid to anyone who wants to be cognizant of that book and sufficient for anyone who cannot bear the hardship of study and reflection. God accommodates to what is correct.

First Treatise

1. [624a] A questioner asked about the cause of setting down laws[3]—"cause" here means the maker, and the one who makes them is the one who sets them down. The interlocutor answered that the one who set them down was Zeus; among the Greeks, Zeus is the father of mankind who is the final cause.

2. [624a–625b] Then he mentioned another setting-down in order to explain that there are many laws and that their multiplicity does not detract from their validity. He supported this by the testimony of generally known and popular poems and accounts in praise of some of the ancient lawgivers.

3. [625a–627b] Then he pointed out that examination of the laws is correct because there are some who detract from their validity and wish to argue that they are foolish. He explained that the laws occupy a very high rank

3. The Arabic term is *nawāmīs* (sing., *nāmūs*), from the Greek *nomoi* (sing., *nomos*); it is used to denote "laws" or "law" in the *Summary of Plato's Laws* and will always be translated as such in what follows. *Sunna* (pl., *sunan*) is the Arabic term that denotes "traditional law" and is translated as such unless otherwise noted. *Sharīʿa* (pl., *sharāʾiʿ*), which occurs only four times here (see 1.9, 2.8, 4.13, 7.2), is translated as "Law" with a capital "L"). The expression *milla*—"religion"—does not occur in the *Summary*, but *dīn*—"creed"—is found at 2.1 below. The Arabic term *wāḍiʿ al-nāmūs*, denoting the one who sets down the law or is in charge of it, is translated as "lawgiver"), while the Arabic terms *ṣāḥib al-nāmūs* and *ahl al-nāmūs* are translated as "legislator" and "legists" respectively. Judges, preachers, governors, and advisers are grouped together under the Arabic term *ḥurrās al-nawāmīs wa al-siyāsāt* at 6.10 below; it is translated as "custodians of the laws and regimes."

and that they are superior to all wise sayings. He examined the particulars of the law that was generally known in his time.

[625b–c] Plato mentioned the cypress trees; he described the path that was being taken by the interlocutor and the questioner and its stations. Most people presume that underlying this there are subtle notions: that by "trees" he meant "men," and similar difficult, forced, and offensive notions that it would take too long to mention. But the case is not as they presume. Rather, he wanted thereby to prolong the discussion and to connect its apparent sense with what resembles it—referring to a notion extraneous to his purpose in order to hide his intention.

4. [625c–e] Then he turned to some of the statutes of that law generally known to them, namely, messing in common and bearing light armor; and he examined them, seeking to determine in what way that law was correct and whether it agreed with what well-directed intellect requires. He explained that such statutes have many advantages, such as promoting camaraderie, mutual aid, protection of one another, and similar things, some of which he mentioned and some he did not. And he explained that they are permitted to carry light armor for yet another reason: because their roads were rugged, most of them were infantrymen rather than cavalrymen. [D 126]

5. [626a–d] Then he explained that, because perpetual war is natural to people in general and to those people in particular, taking up and acquiring appropriate arms, association, and camaraderie are necessary things. He also explained the advantages reaped from war and gave an exhaustive account of the sorts of war, explaining the specific and general sorts.

6. [626d–630d] Then he persevered in speaking about wars to the point of mentioning many aspects of the advantages of the law: among them, a person gaining control over himself, pursuing the ability to suppress evil things (both those in the soul and the external ones), and pursuing what is just. Moreover, he explained in this connection what the virtuous city is and who the virtuous person is. He mentioned that they are the city and the man that conquer by dint of truth and correctness.

He explained also the true need for a judge, the obligation to obey him, and how this promotes common interests. He described who the agreeable judge is, how he ought to conduct himself in suppressing the evil ones and keeping the people from wars through gentleness and good

administration, and in beginning with what is foremost—namely, the lowest.

He explained the true need of people for avoiding wars among themselves and the intensity of their inclination to do so insofar as it promotes their well-being. But this is impossible without adhering to the law and applying its statutes. When the law commands waging wars, it does so in the pursuit of peace, not in the pursuit of war—just as what is offensive may be commanded because of its final consequence being desirable.

He also mentioned that it is not sufficient for a person to live in prosperity without security. He supported this by the testimony of a poem by a man well known to them, that is, the poem of Tyrtaeus. He explained further that the courageous person who is praiseworthy is not the one who is first to attack in external wars, but he who, in addition, controls himself and governs to uphold peace and security whenever he can. He supported this statement by poems generally known to them.

7. [630d–631d] Then he explained that the purpose of the lawgiver's forbearance and accomplishment is to aspire to the face of God, Mighty and Majestic, pursue the last reward and abode, and acquire the major virtue that is higher than the four moral virtues. He explained that among the people there may be some who imitate the legislators. These are groups with various purposes who set laws down hastily to achieve their bad aims. In mentioning these groups, he intended only to warn people to guard against being beguiled by the likes of them.

He divided the virtues and explained that some of them are human and others are divine, that the divine are preferable to the human, and that the one who has acquired the divine does not lack the human, whereas the one who has acquired the human may have missed the divine. The human are such as power, beauty, prosperity, knowledge, and others that have been enumerated in the books on ethics. He mentioned that the true legislator is the one who orders these virtues in a manner suitable to lead to the attainment of the divine virtues; for when the human virtues are practiced by the one who possesses them as the law obliges, they become divine.

8. [631d–632c] Then he explained that the legislators are intent on the causes by which the virtues are attained. They command them and urge people to follow them so that through attaining them the virtues will be attained. Examples of these causes are legal marriage, ordering the

appetites and pleasures, and indulging in each only to the extent allowed by the law. The same applies to fear and anger, base and noble objects, and whatever else serves as causes of the virtues. [D 127]

9. [632d–634c] Then he explained that Zeus and Apollo had used all those causes in their two laws. He explained the many advantages of each one of the statutes of their Law—for instance, [those dealing with] hunting, messing in common, war, and so forth.

He explained also that war may take place by necessity or by appetite and preference. He explained which is from preference and seeking pleasure and which is by necessity.

He mentioned obliquely in his discussion that the dispute running between the speaker and the interlocutor may lead to some noble and preferable things being debased and degraded; but what is intended by this is only to examine and ponder them so as to explain their excellence, remove suspicion[4] from them, and ascertain that they are valid and preferable. This is correct. He presented this as an excuse for anyone who argues for condemning any of the statutes of the law, providing his intention is examination and inquiry, not contention or mischief.

10. [634d–635b] Then he started to blame some of the statutes they were cognizant of in those laws. He mentioned that to assent to such statutes, regardless of one's suspicion from the outset that they may be defective, is to act like children and those who are ignorant. It is obligatory for one who is intelligent to examine such statutes in order to overcome his doubt and grasp what is true about them.

11. [636a] Then he explained that to carry out what the law makes obligatory is one of the most difficult things, while to pretend[5] and make unfounded claims is very easy.

12. [636a–637e] Then he mentioned some of the generally known statutes from prior laws, for instance, the ones concerning festivals—how they are extremely correct because they involve pleasure to which all people are naturally inclined and how the [ancient lawgivers] set down a law that

4. Literally, "presumption" (*ẓann*), both here and in the next section.
5. Reading *al-firāya* with the Leiden manuscript, rather than *al-qawl bih* ("speak about it") with Druart and the Kabul manuscript.

renders pleasure divine.[6] He praised it, approved of it, and explained its advantages. Another instance is wine drinking and drunkenness, their advantages when practiced as the law obliges, and what they give rise to when practiced in a different manner.

13. [638a–b] Then he warned against presuming that the conquerors are always correct and that the conquered are always in error. For conquest may be due to large numbers, and they may very well be in the wrong; therefore, human beings should not be deluded by conquest but should reflect on their conditions and the conditions of their laws. If they are in the right, it makes no difference whether they are conquerors or conquered. Nevertheless, in most cases the one who is in the right is the conqueror; if he is conquered, it is only accidentally.

14. [638c–639b] Then he mentioned that not everyone who wishes to become one is a true lawgiver, but only the one whom God creates and equips for setting down laws. The same applies to every master in an art, such as the navigator and others, who is then deserving of the name master both when practicing his art and when kept from practicing it. Just as the one who is kept from practicing an art after being reputed for it is deserving of the name master, so the one who practices an art without being good at it, equipped for it, or proficient in it is not deserving of the name master. [D 128]

15. [639b–640d] Then he explained that the lawgiver ought first to practice his own laws and then command [others to practice] them. For when he does not practice what he commands others and does not require of himself what he requires of others, his command and his argument will not be received well[7] and suitably by the ones whom he commands—just as the leadership of the general who is not himself a hero able to fight wars will not have the suitable effect. He gave an example of this drawn from the drinking party. He said that when their leader and master is also drunk like the rest, he will not govern the party in the correct way. Rather, he ought to be sober and extremely sharp-witted, aware, and vigilant so that it is possible for him to govern a drinking party. What he said is true.

6. Reading *ilāhiyya* with the Kabul manuscript, rather than *al-ilāhiyya* ("[as] the divine [thing]") with Druart and the Leiden manuscript.
7. Literally, "nobly" (*al-jamīl*).

For when the lawgiver is as ignorant as his people, it will not be possible for him to set down the law that benefits them.

16. [641b–d] Then he mentioned that education[8] and training are useful in preserving the laws and that the one who neglects himself or his subordinates will end up in great confusion.

17. [641e–642a] Then he explained that when a person becomes generally known for his ability as a good dialectician and discussant[9] and as a prolix and able speaker, then whenever he is intent on praising and describing something as being excellent, it will be presumed that the thing itself is not as excellent as he describes but [seems to be so] only from his ability as a discussant.

This is a disease that often afflicts the learned. Thus it is obligatory on the one who listens to a discussion to use his intellect to reflect soundly and exhaustively on the thing itself to determine whether the stated descriptions exist in it or whether they are only things the discussant describes because of his ability to discuss and slide over things or because of his love for that thing and the fine opinion he has of it. If he finds the thing venerable in itself and deserving of those descriptions, let him drive from his mind the suspicion[10] we have described. In itself, the law is venerable and excellent; it is more excellent than anything said about it and in it.

18. [643b–d] Then he explained that there is no way to be cognizant of the truth of the laws and their excellence and the truth of all things, except through logic and exercise in it and that it is obligatory for people to exercise and train themselves in it. Although initially their purpose may not be to grasp the truth of the law, this training can be of benefit to them later on. He gave an example of this drawn from the arts; for example, the child who sets up doors and houses for play, whereby he acquires positive dispositions and accomplishments in an art that become useful to him when he wishes to acquire the art seriously.

8. "Education" or "discipline" (*taʾaddub*) is to be distinguished from "instruction" (*taʿlīm*) in the more formal sense. Other expressions from the same root are *adab* (translated as "upbringing") and the plural form *ādāb* (translated as "character traits").

9. Literally, "goodness in dialectic and discourse" (*jawdat al-jadal wa al-kalām*). The term *kalām* is also used to denote dialectical theology.

10. Literally, "presumption" (*ẓann*); see above, n. 4.

19. [643d–644b] Then he inclined toward the legislator and mentioned that training from childhood in political issues and reflection on what is correct and erroneous with respect to them benefit him when he becomes seriously engaged in them. Then, because of his earlier training and exercise in them, it will be possible for him to restrain himself and face what confronts him with perseverance. [D 129]

20. [644c–645c] Then he began to explain that in the soul of every human being there are two opposing powers, one pulling to attract against the other, so that he finds himself to have sorrow and joy, pleasure and pain, and the other opposites. One of these two powers is discerning and the other bestial. The law operates through the discerning, not through the bestial. He explained that the attraction exercised by the bestial power is strong and hard, while the attraction exercised by the discerning aspect is softer and milder.

It is obligatory on the individual man to reflect on the conditions of his soul with respect to these attractions and to follow the discerning one. And if the inhabitants of the city are not by themselves able to be discerning, they are to accept the truth from their lawgivers, those who follow in their path, those who speak the truth about their laws, those who are good, and those who are righteous.[11]

21. [646b–c] Then he explained that it is true and extremely true that one should bear the toil and discomfort commanded by the legislator because of the ensuing comfort and virtue—just as the pain that comes upon the one who drinks distasteful medications is praiseworthy because, in the end, it leads to the comfort of health.

22. [646e–647c] Then he explained that moral habits follow from and resemble one another and that one ought to distinguish them from their contraries. For example, modesty is praiseworthy; but in excess, it becomes impotence and blameworthy. And having a noble presumption about people is praiseworthy and [an expression of] openheartedness; but if it is of one's enemies, it becomes blameworthy. So, too, caution is praiseworthy; but in excess, it becomes cowardice and inaction and thus is blameworthy. He explained, further, that if a person arrives at a goal he is intent on, even if it is an extremely good and virtuous one, but does so

11. The term is *ṣāliḥ* and denotes those who do what is right and sound.

by pursuing a path that is not praiseworthy, that is then blameworthy. It would be finer for him to arrive at what he is intent on through what is noble and preferable.

23. [647c–649b] Then he mentioned something useful, namely, that it is obligatory for an intelligent person to draw near to evil things and be cognizant of them so that he not fall into them and that he be more cautious about them. He gave an example drawn from drinking [wine] and explained that the sober person ought to draw near those who are drunk and attend their parties so as to be cognizant of the base things that drunkenness engenders and to be cognizant of how to avoid the base and blameworthy things that occur among them. For instance, after drinking a few cups, someone with a weak body may presume himself to be strong although he is nothing of the sort. Because he presumes himself to be strong, he wishes to shout and fight; but his strength fails him. And there are numerous other things that happen to [wine] drinkers.

24. Then he explained that anyone who wishes to acquire one of the virtues ought first to exert himself in driving away the vice that is opposed to it. For virtue is seldom attained until after vice has departed.

25. [650b] Then he explained that every nature has an activity particularly suited to it. Hence it is obligatory for the individual and the legislator to be cognizant of this so as to set down each one of the statutes with what is suitable and appropriate to it so that it is not dissipated. For when a thing is not properly placed, it will be dissipated and no trace of it will be left. [D 130]

Second Treatise

1. [653a] He explained in this treatise that in a human being there are natural things that are the causes of his moral habits and his actions. Therefore the lawgiver ought to be intent on those things, straighten them out, and set down laws that straighten those things out. For when they are straightened out, the moral habits and actions will be straightened out as well. (I presume that by "children" [in this connection] he means all beginners, whether in age, knowledge, or creed.)[12]

12. The term translated as "creed" here is *dīn*.

[653a–654a] He explained that these natural things are based on, and originate from, pleasure and pain. It is by these two that the virtues and the vices—and, later on, intelligence and the sciences—are attained. The straightening out of these two [that is, pleasure and pain] is called educating[13] and training. Had the legislator commanded people to avoid pleasures altogether, his law would not have been rightly established and they would not have followed it because of their natural inclination to pleasures. Instead, he provided for festivals and times during which they could pursue pleasures; in this way these pleasures become divine. This is also the case with the various kinds of music that the legislators have permitted, knowing that people are naturally inclined toward them and in order that taking pleasure in them will be divine. He gave as examples of this things that were generally known among them, such as dancing and flute playing.

[654b–657a] He explained that everything is made up of what is fair and what is base. The fair kind of music is what is suited to the fine natural dispositions and promotes noble and useful moral habits, such as generosity and courage. And the base kind is what promotes contrary moral habits. He gave examples of this drawn from the tunes and the figures that had existed in the temples of Egypt and among its inhabitants and had been instrumental in sustaining the traditional laws; and he explained that they were divine.

[657d–658e] He explained, further, that anyone who is younger in age is more prone to rejoice in those pleasures, while the one who is older is calmer and more staid. The skilled legislator is the one who introduces the law that gracefully draws everyone toward goodness and happiness. Furthermore, every group, every one of the generations, and all the inhabitants of a region have their own natural dispositions that differ from those of others. The skilled [legislator] is the one who introduces the kind of music and other statutes of traditional laws[14] that control those natural dispositions and compel them to accept the law, despite the differences in the natural dispositions and the variety and multiplicity of their moral habits, not the one who introduces certain statutes that control some people and not others; for the latter can be accomplished by the majority of the members of the group who practice it naturally. Moreover, the one

13. The term translated as "educating" here is *ta'dīb*; see above, 1.16 and n. 8.

14. The term is *aḥkām al-sunan* and could therefore also be translated as "traditional statutes."

who introduces a law that compels the obedience of a man who is knowledgeable, sophisticated, and experienced is more excellent than the one who introduces a law that compels the obedience of a group that is neither knowledgeable nor sophisticated: the former is like a singer who excites an old, sophisticated, rugged, and tenacious person.

[659c–e] The legislator and those who establish the law and its burdens ought to restrain the many and different human issues in every respect and in all their details so that none of these issues escapes them or they neglect anything in them; for once [the citizens] become used to neglect on their part, they will find excuses whenever they can. When a thing is neglected once, twice, or more, it is lost sight of and its edges are blunted—just as when it is used once or twice, it becomes an inescapable habit: it is fixed or lost sight of to the extent that it is, respectively, used or neglected. The young in age and children are not cognizant of this; they should be made to accept it and to act accordingly. For if they get used to enjoying themselves, following their appetites, and taking pleasure in what is contrary to the law, it will then be very hard to straighten them out in accordance with the law. Rather, they ought to experience pleasure in [obeying] its regulations;[15] both men and children should be required to be in intimate association with it [the law] and to follow it in practice.

[659d–660a] The legislator ought to address every group of people with what is closer to their understanding and intellects and straighten them out by means of what they are able to do. For sometimes it is difficult for people [D 131] to understand a thing, or they are incapable of doing it. Its difficulty motivates them to reject it and prompts them to abandon and discard it. He gave as an example of this the skilled and gentle physician who offers a sick person the medications that are useful to him in his familiar and appetizing food.

2. [660d–661d] Then he wished to explain that the good is only relative, not absolute. He supported the soundness of his statement by the testimony of an ancient poem in which are mentioned the things—such as health, beauty, and affluence—that some people count as good while others do not. He explained that all these things are good for good people; for the evil and unjust, however, they are not good and do not lead them to happiness either. Indeed, even life is evil for evil people, just as it is good for good people. Therefore it is correct to say that the good is only relative.

15. "Regulations" (*qawānīn*, sing. *qānūn*), from the Greek *kanon*.

This is a notion the legislator and likewise the poets and all those who write down their sayings ought to pay great attention to so that they will not be misunderstood.

3. [661d–663d] Then he explained that the assertion that all good things are immediately pleasant, that everything that is noble and good is pleasant, and that the converse assertion is also sound is not demonstrable. For many pleasant things are not good—namely, everything that is a source of pleasure to those of weak intellects. Upon my life,[16] the good may be pleasant to the one who is cognizant of its outcome, but not to the one who has not ascertained that outcome. The same applies to the assertion concerning the just ways of life and that they are the converse of the good things.

4. [665b–666d] Then he explained further that it is not obligatory for all people to follow the very same statute, but that there are statutes for each group that are not obligatory for others. He gave an example of this drawn from flute playing performed by different age groups and how the conditions that call for flute playing and the use made of it differ among different people, whether they differ in age or in some other conditions that befall them at particular times. For when a thing is not used in its proper place, it will not have the glitter, comeliness, approval, and acclaim[17] that it has when used in the place suitable to it. He gave examples of this, such as it not being suitable for an elderly person to play the flute or to dance; if he does either of these or anything similar at a public gathering, the public will not cheer or approve of it. Likewise, it is extremely repugnant and base for one to play the flute or dance on an occasion when it is not obligatory to do anything like that. This is the case with everything that is done by an unsuitable person, or in a place or time in which it is not approved for such things to be done by such as he, or when it is not obligatory to do them—all this is repulsive, unsuitable, and objectionable. It prompts the onlookers to reject it and to consider it base and repulsive, especially if they happen to lack sophistication.

16. This first oath by Alfarabi mirrors the first oath by the Athenian Stranger; see Plato, *Laws* 2.662c.

17. Literally, "argument" (*al-qawl*).

5. [666d–668a] Then he explained that pleasures also vary with respect to the differences in people, their conditions, natural dispositions, and moral habits. To explain this, he gave examples of courageous persons and the practitioners of the arts. For what is pleasant to the practitioner of one art is different from what is pleasant to the practitioner of another art. The case is the same with what is decent, what is noble, and what is balanced. [D 132]

6. Then he spoke extensively about this subject in order to explain that all these things are primarily noble and base in relation to other things and not noble and base in themselves. He said that if the practitioners of arts were to be asked about this notion, they would undoubtedly confirm it.

7. [668c–669a] Then he explained that anyone who does not know a thing's whatness, essence, or indeedness[18] cannot know whether its parts are well ordered, whether it is commensurate, or what its concomitants and consequences are simply by chasing after it. And if anyone claims he can do so, he is making a false claim. Also, the one who is cognizant of a thing's whatness may not have noticed how fair, fine, bad, or base it is. The one who has perfect cognizance of a thing is the one who is cognizant of the thing's whatness, then of how fair it is, [and] then of how fine or bad and base it is. This is the case with respect to laws and to all arts and sciences.

[669a–670d] Therefore the one who judges their fineness, or deficiency and badness, ought to have acquired about them the three things mentioned above and mastered them very well; only then should he judge them, so that his judgment may be correct and proper. Even more excellent than a judge is the one who constructs and sets down a thing. For the one who constructs it and sets it down, because he has the three kinds of knowledge mentioned above, has the ability to set down what is suitable for each condition. Now how could anyone who lacks one of these three kinds of knowledge and that power be able to set it down and construct

18. Reading *inniyya*, for sense, rather than *āniyya* ("that-ness") with Druart. In the opening lines of *Book of Letters,* Alfarabi says "the philosophers call perfect existence the 'indeedness' of the thing—namely, its very whatness—and they say 'and what is the indeedness of the thing,' meaning what is its most perfect existence, namely, its whatness"; see Alfarabi, *Kitāb al-Ḥurūf,* part 1, chap. 1, sec. 1. See also *Abū Naṣr al-Fārābī, Kitāb al-Alfāẓ al-Musta'mala fī al-Manṭiq,* ed. Muhsin Mahdi (Beirut: Dār al-Mashriq, 1968), sec. 7/1, 45:4–11.

it? Nor is this peculiar to laws alone, but holds for every science and every art. He gave examples of this drawn from poems and their meters and tunes, and from music and those who compose[19] it and play its various modes.

8. [669b–671a, 673a–d] Then he spoke at length, mentioning dancing and flute playing. His entire purpose with these examples is to explain that each of the statutes of the Law and of traditional law ought to be employed in the suitable place and for those who can endure it and that the corruption resulting from transferring and employing a thing in a place unsuitable to it is worse and baser than what results from abandoning it altogether. He described the praise that was bestowed on those who played tunes of which they were cognizant in their proper places and to an appropriate audience; and he mentioned the blame bestowed on those who altered these tunes, tampered with them, and played them at unsuitable times with the result that they stirred up afflictions and evils.

The art of singing occupied a wonderful position among the Greeks, and their legislators paid complete attention to it. In truth, it is very useful, especially because its working penetrates the soul. And since the law is especially concerned with the soul, he spoke effusively about this subject. Now such training as the body needs is only for the sake of the soul; when the body is made fit, it leads to the fitness of the soul.

9. [671a–674c] Then he explained another notion suited to what he was describing, namely, that the same thing may be used in one law and abandoned in another law. This is neither repugnant nor base, because the law is to be in keeping with the exigencies of the situation so that it leads the people to the ultimate good and to obedience to the gods. He gave an example of this drawn from wine and wine drinking: how an ancient group of Greeks used it, while it was shunned by another group even in the case of necessity. The situation that necessarily calls for drinking wine is that in which one needs to be deprived of intellect and cognizance, for instance, in childbirth, cauterization, and the painful doctoring of the body. Similarly, there is the situation in which it is used as a treatment for procuring health when nothing else will procure it. [D 133]

19. Literally, "those who set it down" (*al-wāḍiʿīn lahā*).

Third Treatise

1. [676a–677a] He started to explain that setting down laws, their obliteration, and their restoration are not things that have arisen at this time; rather, they have occurred in ancient times and will occur in times to come. He explained that the corruption and obliteration of the law come about in two ways: the one from the passage of long periods of time and the other from general cataclysms that arise in the world, such as deluges and epidemics that annihilate people.

2. [677a–680a] Then he set about explaining how cultures develop; how the conditions that necessitate regimes and laws arise, giving examples drawn from a deluge that floods all cities, after which a [new] city begins to come together and grow; and how groups and cities, which he named and of which they were cognizant at that time, were ruined and then other cities grew up in their stead. Initially, people had praiseworthy moral habits; but as their numbers increased and they engaged in rivalry, these moral habits changed. For example, at that time—I mean, in the aftermath of the deluge—people regarded each other cheerfully and were on familiar terms with one another. However, when their numbers increased, envy gradually began to spread among them until they hated each other, broke off relations, parted company, and waged war against one another. Moreover, the arts disappeared at that time—I mean, in the aftermath of the deluge—until gradually, and compelled by need, people began to develop them somewhat. Examples of this are mining minerals, harvesting plants, and constructing edifices and houses, and other things not difficult [to figure out] for anyone who looks into the original work on which this book is based and reflects a little on the cognizance it provides him so that he knows that at first the arts are developed only insofar as they are necessary, whereas later on they are for the sake of noble and fair things. For example, [at first] clothes are worn to cover and hide the genitals and to protect against heat and cold; then, later on, they are pursued with an eye to what is fine and fair. The same can be said about all the other arts.

[680e–681e] He explained further that the cities, fortresses, and shelters that people undertook at the outset were only to fortify themselves against beasts, wild animals, and other harmful things; then, later on, after wars gradually developed among them, they began to fortify themselves against each other.

[681a–682e] He explained further with respect to traditional laws how they come about and that they were only the traditional laws sons had [derived] from the ways of life of their fathers. Then, later on, when those traditional laws led to solidarity,[20] need compelled [them] first to a lawgiver of a general law that would unite the different ways of life, the members of numerous households, and the descendants of numerous ancestors with regard to a single thing encompassing their well-being. He supported this by the testimony of a statement from the poet Homer describing the city of Ilium and the issue[21] with respect to it.

3. [682c–e] Then he explained the struggle for domination that stems from solidarity, the hatred, and the [desire for] coercion that the inhabitants of one city have with respect to those of another. And [he explained] that these things do not present any usefulness since they are not in accordance with the law. He gave as an example those cities that the ancient Greeks besieged and conquered, [mentioning] how their situation exemplifies this notion. [D 134]

4. [683c–686c] Then he set about explaining that the ways of life of the people living in a single city who follow the way of life of their king can be corrupted and conquered in two ways only: one way is through the corruption attaching to the people because of themselves and their abandoning the practices that benefit them; the other is through another king conquering them. The latter may come about lawfully. When it is lawful, one, two, or many kings may join together against a single city and compel it to accept the divine law. This is like what he mentioned by means of examples drawn from cities generally known to them at that time. He explained moreover that the inhabitants of some cities may corrupt their traditional law more quickly than the inhabitants of another city because of the bad natural dispositions of the group, as he explained by means of examples.

5. [686c–687e] Then he set about explaining that approval may lead a person to adhere to the law, mentioning that a person may approve of

20. The term "solidarity" (*'aṣabiyya*) is central for Ibn Khaldūn; see Muhsin Mahdi, *Ibn Khaldun's Philosophy of History* (Chicago: University of Chicago Press, 1971), 193–204, esp. 196, n. 1.

21. Literally, "cause" (*sabab*).

something not good in itself and how he is to proceed in approving of a law that is perhaps neither good nor conducive to happiness, and mentioning the difficulty in distinguishing such things. He gave as examples someone who sees a wondrous ship, approves of it, and yearns to possess it, or someone who sees and approves of splendid riches and money and so yearns for a setting in which he would possess them, although that may not be unconditionally good. He explained moreover that a child may wish to possess things of which he approves while he is a child; but as he goes beyond the age of a child, he neither wishes for nor approves of them even though the things themselves are the very same and have not changed.

6. Then he demonstrated that the thing approved of that is truly so[22] is better than what receives approval but is not good. Therefore he said: "We, ourselves, see that the father does not approve of the same thing that the child approves of. Rather the father, being intelligent while the child is not intelligent, beseeches God to put an end to the child's approval. The thing that is fair and noble in itself is what intelligent people approve of, whereas what those who are not intelligent—be they a child, adult, or old person—approve of is what ought to be rejected."

7. [688e–689c] Then he explained a fair notion, namely, that what testifies to the truth and goodness of the law and exhorts to it is the intellect. Therefore, it is obligatory on the legislator that he be intent on the things that foster intellect in souls and that he make complete provision for them. For the more secure this is, the more secure and reliable the law[23] will be. Now upbringing is what fosters intellect because anyone who lacks upbringing finds pleasure in evil things, whereas anyone who has upbringing finds no pleasure except in what is good. The law is the path to good things, their fount, and their origin. It is therefore obligatory on the legislator to establish upbringing as firmly as he can.

8. Then he explained that once upbringing is instilled in the natural dispositions of the rulers of cities and their counterparts, it will result in their

22. That is, truly worthy of approval.
23. Literally, "the issue of the law" (*amr al-nāmūs*).

preferring and approving of good things and testifying to their truth. And harmony[24] among the testimonies of those who have upbringing is the wisdom to be preferred.

9. [689e–690c] Then he explained that the city is not complete unless it includes rulers and ruled. Exemplary of the rulers are those who are virtuous, mature, and experienced; while the ruled are those inferior to these such as children, youths, and the ignorant. Whenever this is the case, it is exceedingly correct. [D 135]

10. [690d–691a] Then he set about explaining that, when kings and rulers do not possess upbringing, they and their flocks[25] will become corrupt, as he explained in the examples he gave of Greek kings who did not possess knowledge. Therefore, they corrupted their flocks and themselves[26] to the point where their cities were ruined. Ignorance is more harmful in kings than in the common people.

11. [691c] Then he explained that the inhabitants of the city cannot do without a ruler possessed of upbringing[27] and an agreeable regime to run their affairs properly, just as the body cannot do without nourishment and the ship cannot do without the sail. Likewise the soul cannot do without a regimen[28] or else its affair will become corrupt, as he explained in connection with the Messenians.[29] Just as the sick body can neither bear toil nor function in a fine or useful manner, so the sick soul can neither distinguish nor choose what is finer and more useful. Now sickness of the soul is for it to lack the character traits [promoted by] the divine regime.

24. "Harmony" or "consensus" (*ijtimāʿ*); Greek, *sumphonia*.

25. Literally, "their affair and that of their flocks" (*amruhum wa amr riʿāyāhim*).

26. Literally, "the affair of their flocks and their own affair" (*amr riʿāyāhim wa amr anfusihim*).

27. The term is *raʾīs adīb*; were it not so awkward, given the immediately preceding "do without," the term could be translated "ruler with up-bringing."

28. Or, more literally, a "regime" (*siyāsa*), as in the preceding sentence.

29. Reading *al-māsināyyūn* for sense, rather than *al-māʿinaliyyūn* with Druart who—presumably inspired by Mahdi's suggestion in "*Editio Princeps*," 20—so deciphers the Leiden manuscript, and rather than *al-māʿilūn* with the Kabul manuscript. Literally, the clause reads "the affair of the Messenians" (*fī amr al-māsināyyūn*).

12. [691d–693a][30] Then he gave examples of rulers who, presuming themselves to be learned and to be well brought-up[31] while not being so, pursued domination and thereby corrupted the affair [of the city].

13. [693a–696a] Then he explained that the legislator's major concern ought to be the issue of affection and freedom so that the people will be attached to both of them and the laws thus be quickly established and easy to effect.[32] Otherwise, the issue will be hard and difficult for him.

He explained further that a multiplicity of rulers[33] will corrupt the issue and that it is obligatory for the lawgiver to be intent on exclusive rulership. Otherwise, he will not make good headway toward his intention. Once his law appears, it will not endure unless he is intent on being the single, exclusive source of law. Indeed, this is an issue that cannot put up with compromise and compliancy.

He explained moreover that the path of freedom is the most useful and the finest for the legislator to pursue and that a ruler should not be envious; indeed, envy pertains to slavish moral habits, and a slave never achieves complete rulership. If the issue proceeds in accordance with the path of freedom, the compliance and obedience of those who are ruled will be with appetite and cheerfulness and more likely to continue. For these notions and their contraries, he gave examples drawn from the Persians, their kings, and their moral habits. And he spoke extensively about that.

14. [696a–700a] Then he set about explaining the divisions of the virtues and character traits, which of them is prior and which emphatically posterior, which of them stands apart by itself and which does not stand apart from what accompanies it. For example, moderation is not beneficial when it does not go together with justice, and similarly the rest of the virtues and character traits. He mentioned that it is obligatory for the legislator to distinguish these moral habits, to do whatever he ought to do so as to

30. This identification seems appropriate; Druart offers no indication of a corresponding passage in the text of the *Laws*.

31. Or, "to have upbringing," the term being *udabāʾ*, which is the plural of *adīb*.

32. Reading *al-ʿilla* with the Leiden manuscript, rather than *al-ghalaba* ("domination") with Druart and the Kabul manuscript.

33. Literally, "a multiplicity of rulerships" (*al-riʾāsāt al-kathīra*), but the exposition in the rest of the section makes it clear that Alfarabi means to speak here of the problems arising from multiple rulers.

order them and exhort others to them, and to compel the people to accept and adhere to them in keeping with freedom and not in keeping with slavery. Indeed, it was the corruption engendered by slavery that he mentioned in the examples he gave of the Persians.

Then there occurred a useful notion in his tales of the Persians, the transferring of authority from their king to his son, and the war they waged at sea—namely, that when something terrifying strikes enemies in one city, they become friends. Thus, it is obligatory for the legislator to examine whether the affection among the followers of his law is of this type or not, so that he structures his governance[34] accordingly with certainty and cognizance lest harm and corruption affect the law in that manner. [D 136]

15. [700a–702b] Then he rushed on to explain the issue of the music provided for by the statutes of those ancient traditional laws. He explained a certain aspect of it he had already mentioned before, namely, the well-being derived from accepting traditional laws in keeping with freedom versus the corruption that occurs from accepting them in keeping with slavery and coercion. He mentioned what is offensive and distasteful about slavery and that when the affair of the city is not based on fundamental[35] affection, thorough[36] upbringing, and perfect intellect, it is destined to destruction and corruption. On the other hand, when these three are present, it is destined to goodness and happiness. The argument about a whole city, a single household, and a single man is the same.

Fourth Treatise

1. [704a–705b] He set about now in this treatise explaining that the city in truth is neither the place that is called "city" nor a gathering of people. Rather, there are stipulations for it, among which are that its inhabitants accept the traditional laws of the regimes, that it have a divine governor, that its inhabitants manifest commendable and praiseworthy moral habits and customs, and that its territory be naturally suited for making it

34. Reading *fa-yudabbir tadbīrah* with all of the manuscripts, instead of *fa-yudabbiruh tadbīrah* ("he structures it, his governance") with Druart. Here, the less literal "he structures his governance" seems preferable to "he governs his governance."

35. Literally, "essential" (*al-dhātiyya*).

36. Or, more literally, "complete" (*al-tāmm*).

possible to bring to it the provisions its inhabitants need and everything else indispensable to them.

2. [705d–707a] Then he explained another notion, namely, that the law set down for the inhabitants of the city is not merely for the purpose of its inhabitants listening and obeying, but rather also for them to come to have praiseworthy moral habits and agreeable customs. He mentioned another notion, namely, that a person whose customs and moral habits are not in accordance with the law, noble, and agreeable will always be deteriorating and regressing; and it is base for a person to regress as he advances in years. He gave as an example courageous persons who disregard exercise to the point where they are forced to take up lowly arts and occupations such as sailing and the like. He gave an example drawn from a poem of Homer that was generally known to them and one about a lion that neglected itself to the point where its courage slipped away and it came to fear mountain goats.

3. [709b–e] Then he began to explain this notion in relation to an entire city. He also explained that it is fine, good fortune for a city if the one who sets down its traditional laws is skilled, cognizant, and well trained with regard to all instances of good fortune connected with prosperity and other things. And [he explained], further, that it is good fortune for the legislator to have the inhabitants of his city be those who listen, obey, and are disposed to accept the traditional laws embodied in regimes.

4. [709e–712b] Then he set about explaining the issue of domination. There may be a need for it when the inhabitants of the city are not good persons with fine natural dispositions. For domination is blamable only when the ruler is dominating by nature and uses it to satisfy his appetites, not when there is a need of it for the sake of the inhabitants of the city. Now when the city is such that the leader cannot dispense with coercing it and so does coerce it and sets down in it traditional laws that are divine, this is very praiseworthy and agreeable. [D 137]

5. [710e–713a] Then he explained that the domination taking place in this manner is more appropriate and easier in many respects than rule by means of choice since, by confronting the inhabitants of the city with domination, it is possible for the one who sets down traditional laws to make the inhabitants upright in the briefest period. In contrast, the one

who does not dominate but proceeds in accordance with the path of freedom, cannot do without gentleness; and gentleness takes more time.

6. Then he explained that just as domination and coercion are exceedingly fine for those who are slaves and evil, domination and coercion are exceedingly bad for those who are free and virtuous. He gave examples of the Knossians[37] and the inhabitants of other cities generally known to them.

7. [713a–714a] Then he explained that whenever the inhabitants of the city are better, their ruler is more divine. Therefore, their ruler is much more excellent than the rulers of a less excellent city. So this situation may evolve to the point where the governor of a city comes to be of the genus of divine beings and has only a little in common with these humans. He gave as an example of this notion the inhabitants of a city generally known to them.

8. [714b] Then he explained that the kinds of regimes correspond numerically to the kinds of traditional laws because regimes follow on traditional laws, draw from them, and are built on them. Moreover, rulerships correspond to them in number and kind as well as in way of life. If the one is fine, then so is the other; if bad, then bad; and if superior, then superior—with this departing only slightly from the truth.

9. [714c–716b] Then he explained that the vain ruler who cherishes his own beauty, money, lineage, or anything pertaining to his virtues is neither praiseworthy nor agreeable since the greatest concern of the ruler ought to be the well-being of the ruled. He who is arrogant is occupied only with himself and his own fate. He thus becomes loathsome to the gods. Anyone who becomes loathsome to them does not have their support. And the one who does not have their support will not pass along a noble and agreeable heritage.

10. [716c–718c] Then he set about describing him[38] and explaining the things he ought to be concerned about. He should begin with the fate of the body, then the fate of the soul, and then external things one after the other.

37. Reading *al-qunūsiyyīn* for sense, rather than *al-qubrusiyyīn* ("Cypriots") with Druart and the Leiden manuscript.
38. Namely, the good ruler.

He gave examples and spoke effusively on this subject because of its great usefulness. He ended up with a discussion of the rights and duties of sons and fathers, how they are to fulfill them, what they are when they start out in life, and what they become when they reach the end of their days.

11. [718d–719a] Then he explained what both the difficulty and the ease of this virtuous path consist in, giving an example drawn from a generally known poem. [D 138]

12. [719b–e] Then he explained that the poet, disputant, and discussant[39] may say both a thing and its contrary, whereas the one who attends to the traditional laws ought to defend only the one thing useful to him.

13.[40] Then he gave an example of that drawn from some of the statutes of Laws—namely, burying and shrouding the dead; what the legislator ought to command with respect to them; and how those others, whom we enumerated,[41] talk about them.

14. [719e–720e] Then he explained how the law should be implanted in the hearts of the people, giving as an example a doctor who treats children with gentleness. He mentioned that doctors have servants who imitate them. Likewise, there are judges who emulate legislators in giving guidance. It is obligatory on them to employ extreme gentleness in restoring traditional laws and preserving them for the people.

15. [720e–722c] Then he explained that the city begins to flourish only as a result of the law concerning marriage and procreation. Therefore that law ought to be extremely refined and precise. He mentioned how wrong it is to disregard things that were generally known in the traditional laws in those times, like fines and punishments.

16. [722c–723b] Then he set about explaining that, for traditional laws to become firmly established in the hearts of the inhabitants of the city,

39. The Arabic term is *mutakallim* and may also be understood as "dialectical theologian"; see also, above, 1.17, and Leo Strauss, "How Fārābī Read Plato's Laws," in *What Is Political Philosophy* (Glencoe, IL: Free Press, 1959), 139, 143.

40. This section is not recognized as a separate one by Druart. Thus, in the translation, the numbering of the subsequent sections in this treatise differs from hers.

41. That is, at the beginning of sec. 12.

preludes must be made prior to setting them down. Of these preludes, some are accidental and due to good luck, others are imposed, and still others are natural. The accidental preludes are like a mishap befalling its inhabitants that corrupts relations among them so that they are compelled to adopt a traditional law that brings them together and binds them in unity and unanimity. Natural preludes are like the corruption that comes about as a result of the passage of long and extended periods of time and the weariness that comes upon people because they are naturally disposed to it. Imposed preludes are like proclamations effected through discussion and clarifications effected by disputations. Thus, if these three [kinds of] preludes take place, the people's desire to follow traditional laws will be genuine and they will be compelled toward them so that, when they find them, they will accept them cheerfully.

Then there is another kind of prelude not belonging to the genus of these three, namely, the praiseworthy and noble moral habits that legislators and judges extol and that the ignorant and children follow so as to become habituated to these moral habits. Once they become states of character for them, these people are more easily led to accept traditional laws and more quickly hasten to adhere to them. For evil people are not led to good things easily, whereas those adhering to the mean are.

17. [724a–b] Then he himself promised to explain later on what is required for the issue of the soul of the inhabitants of the city, their bodies, customs, and characters.

Fifth Treatise

1. [726a–727e] In this treatise, he explains that the issue of the soul is the first thing that ought to be cared for because it is the most venerable of things and has the third rank among divine things. The most fitting type of care that can be bestowed on it is honor, since being contemptuous of the soul is base. He explained that honor is [D 139] among the divine issues and is the most venerable of them; since the soul is venerable, it ought therefore to be honored.

To honor the soul is not to satisfy its appetite. For, were this the case, it would be obligatory on a child as well as on an ignorant person to satisfy the appetites of their souls because they presume that the appetites of their souls are for fine and preferable things. And yet great harm would

come about if they were to satisfy those appetites. Rather, honoring the soul consists in disciplining it and satisfying those appetites praised by divine traditional laws. The more the laws condemn them, the more it is an act of honoring the soul to keep it from them, even if this is painful at the moment. Anyone who presumes that the body is more venerable than the soul on the grounds that the soul would not exist were it not for the body has an erroneous presumption; his error will become evident with the slightest effort.

2. [727e–728a] Then he explained how the soul ought to be honored in many of the activities that a human being pursues, such as amassing money and other things.

3. [728a] Then he pointed to how the soul is honored by saying, "they[42] ought to be made to accept instruction from the legislator because this is his issue."

4. [728c–729a] Then he also mentioned that after honoring the soul, it is obligatory to honor the body. He explained that it is not the beautiful, powerful, nimble, sound, or corpulent body that is honorable, but the one that adheres to praiseworthy and agreeable customs and to ways of life that are in agreement with the traditional laws. The way to honor the body is to adhere to moral discipline. He explained this notion by means of an extensive discussion and useful, clear examples.

5. [729a–c] Then he set about explaining that the traditional laws for disciplining children to honor the body are none other than the traditional laws for disciplining middle-aged and old people when they are ignorant.

6. [729c–730b] Then he explained that the traditional laws with respect to honoring the soul apply equally to strangers, kinsmen, and inhabitants of the city, whereas the traditional laws with respect to bodily discipline that hold for strangers ought to be distinct from the ones for kinsmen. Now in the disciplining of bodies, there are punishments for crimes. So if the stranger and the kinsman are on an equal footing in this, that will lead to traditional laws and laws becoming corrupt.

42. That is, the inhabitants of the city; see above, 4.17.

7. [730b–732b] Then he explained the path one ought to move along in acquiring the moral virtues and that spending time is indispensable in this. For a custom is attained only when practiced over a period of time, in every social situation, and together with all groups. Otherwise, it will not become a custom. The path to becoming accustomed to justice, moderation, courage, and other things is the same. Likewise, removing blamable things requires time in which a person accustoms himself to abandoning base things. If a human being is not high-minded or has no natural strong indignation, the training of his soul cannot be at all complete. That is because a human being is naturally disposed to wink at most of the faults of his beloved—and there is no beloved more beloved to a person than his own soul. Since this is so, strong indignation is indispensable so that it is possible for one to restrain one's beloved soul from pleasant appetites. In this situation, anger alone is useful in keeping one from approving of all one's soul does and accustoming it instead to being displeased with such things from the outset. [D 140]

8. [732b–d] Then he explained that it is obligatory for people with upbringing first of all to command their own souls to abandon unbalanced actions, such as perpetual gladness, excessive laughter, intense sadness, excessive grief, and the like. Then after having so commanded their own souls, they are to command it of their subordinates.

9. [732d–734e] Then he mentioned that it is obligatory for them to seek the gods' assistance in connection with all these character traits and their acquisition by beseeching and invoking them and asking their assistance in what they are doing so that it is in accordance with the law, praiseworthy, and divine. A person must also strengthen his hope in the gods so that his existence is more felicitous and his way of life more noble. A noble way of life may be noble according to one group but not to another, or it may be noble in the eyes of the gods. So it is obligatory to consider this and reflect on it thoroughly.

He spoke about this notion extensively and explained the chosen way of life with respect to each moral habit and statute. He enumerated some of them by way of examples until he mentioned moderation. He explained that choosing the pleasurable over the painful is the way of life of compulsion, while choosing the painful over the pleasurable is the way of life of choice.

10. [734d–735a] Then he also mentioned this with respect to health, courage, knowledge, and so on.[43]

He mentioned, moreover, that the affair of the city cannot be complete unless the traditional laws are prepared for by preludes having to do with regimes so that, once these preludes are established, the great and splendid traditional law will perform its function. He gave as an example the warp and the woof of cloth.

11. [735a–c] Then he declared that these regimes are of two kinds. One consists of the rulers of tribes and their regimen[44] over them; the other consists of the traditional laws set down by those who set them down. He mentioned that this notion applies to all beings that are regimented—cattle and people. For each sort of the one and the other has a regimenting officer and a pattern that is other than the regimenting officer and pattern of the other.

12. [735c–e] Then he mentioned another notion useful in this connection, namely, that domination is needed as a prelude to divine traditional law. The need for it comes from two notions: one is for purging—I mean, purging the city of those evil people whose diligence, behavior, art, and zeal form resistance to the rulers—while the other notion is for them to become a lesson and warning to the good people so that they easily and cheerfully accept the traditional law of those who identify themselves with what is divine. He gave examples of that and expounded on all of them eloquently.

13. [735e–736a] Then he explained that, if there is not a genuine and urgent need for something, then the matter will not be executed with the ultimate in precision. He gave as an example migration and poverty that can be made the foundation of a virtuous city on account of the migrants' genuine need to settle and the genuine need of the poor for what assures their livelihood. [D 141]

43. Druart places this sentence at the end of sec. 9.

44. The term is *siyāsa*, heretofore translated as "regime." Here and in the rest of this section, it seems to make more sense to translate *siyāsa* and its cognates as "regimen," "regimented," and "regimenting."

14. [736c–739a] Then he explained that upright distribution is the fundament of the city's affairs lest anything increase to the point of becoming a preoccupation or decrease below what is obligatory so that strife comes about among its inhabitants. He began by enumerating in that regard first land and territories, then companions and brothers, then provisions and nourishments, then farms, then mosques, and then indispensable storehouses. He mentioned that such distribution, although necessary, is a difficult issue. It is for the one who sets down traditional laws to establish statutes in the city on which basis they will build their affair. He gave examples drawn from what was generally known to them. He mentioned various ways that legislators distributed worldly goods among the inhabitants of cities. His intention will not be hidden from anyone who reads those chapters.

15. Then, finally, he said, "This, then, is the city whose existence we wanted from the outset."[45]

16. [739c–741a?] Then he came back to mention how the conditions of the children and youths, and likewise those of the ignorant, ought to be administered.

17. [741a–e?] Then he followed that with the command to honor traditional laws and regimes and to look on them with veneration and exaltation.

18. [742a–744a] Then he set about explaining the details of amassing money from non-lowly occupations. Thus he mentioned that when money is accumulated in praiseworthy ways, it is much more excellent than poverty. However, when it is amassed from occupations that taint a human being with various types of disgrace, then it is better to abstain from earning it. He spoke extensively on this subject and gave examples of praiseworthy ways of amassing money drawn from the occupations of the Greeks that were generally known to them, both praiseworthy and not, such as traveling and commerce. In short, what is earned without harming traditional law and the character traits that constitute preludes to traditional laws or what honors the soul and honors the body is very praiseworthy. But if it is harmful in one of these respects, then it is blameworthy. And it is better

45. This section is not recognized as a separate one by Druart. Thus, in the translation, the numbering of the subsequent sections in this treatise differs from hers.

to be contented than to engage in any of these things because the purpose intended is to keep upbringing and traditional laws alive.

He mentioned that it is obligatory for the one who sets down traditional laws to prohibit all persons of upbringing and intelligence as well as those who comply with these traditional laws from being engaged in such occupations. And [it is obligatory for him] to set down punishments and to explain their meanings and consequences so that people adhere to these traditional laws and do not violate them.

[744a–745b?] The sage[46] spoke extensively on this subject and on it being obligatory for the legislator to care for the poor just as he cares for the rich: he must set up traditional laws to make them upright and to soothe their souls, or else corruption that it is impossible to control or to remove will be engendered.

[746d–747d] It is also obligatory for him to set down traditional laws concerning weights and measures, everything in which the people deal in the city, and trading so as not to disadvantage one group nor allow others to become reckless. And [it is obligatory for him] to proceed similarly with regard to the special positions of each of the inhabitants of the city, rich and poor, so that no class of people remains exempt from a traditional law concerning it; for that would lead to corruption of inestimable proportion and consequence. In short, divine traditional law ought not to contain disparity or disorder—the meaning of "not to contain disparity" here is that all those who have the same status as the one who sets down the divine traditional law and who come after him to look on it approve of it and find no fault with it. [D 142]

Sixth Treatise

1. [751a–c] He had resolved to explain in this treatise that the virtuous city is the one whose rulers and rulership are ordered fairly and naturally—for when the city lacks this element, it will not endure. If the legislator does not order the rulers, judges, and companions naturally, then he will be ridiculed and become a laughingstock at the outset, and his undertaking[47] will subsequently become twisted and his law corrupted. And the corruption of laws entails the corruption of cities.

46. That is, Plato.
47. Literally, "his affair" (*amruh*).

2. [752b–c] Then he set about explaining that, when the inhabitants of this city are ignorant, unsophisticated, and childish, they rarely accept these regimes and that order brought forth by the legislators.

3. [752d–755b] Then he explained a stratagem for gaining their acceptance, pointing out that the city must be either ancient or new. If it is ancient, then the legislator's task is easier due to what has taken place with the previous laws, traces of which still remain in the natural dispositions of the people, thus forming a prelude to the recent law. If the city is new, the task is somewhat more difficult because the legislator is obliged to choose from the city's men those people with natural dispositions ready to accept the laws. He will then come to an agreement with them as to what he wants, establish the traditional laws in their souls, seek their assistance, and strengthen himself against the others. And if he should happen upon groups from the inhabitants of another city who have observed the laws and become cognizant of them, let him seek their assistance against the inhabitants of his city—since they are also descendants of the same race—so that they propagate his law in that city itself with [the help of] another city.

Similarly with regard to the issue of the elders, he is also obliged to seek the assistance of those who are sophisticated and have fine natural dispositions against those who are inferior to them among the childish and ignorant. Thus, if the legislator happens upon the likes of these, let him order them as he deems he ought and as is most fitting and let him entrust each with those traditional laws that he knows it is possible for him to undertake as is required and is able to fulfill.

What we have mentioned is the meaning of what he symbolized in those examples about the inhabitants of Crete and other cities that he mentioned and about tablets, markets, and other things. He went on effusively about this, mentioning such things as how a city is delimited[48] when at the outset it is founded, how to order the people there, how to order their stipends and needs, and how to order their activities in accordance with their ages; for the tasks and activity that the elderly undertake and adequately perform, the youth cannot undertake and adequately perform; and the tasks and activity that the youth undertake and adequately

48. Reading *al-madīna kaifa tuḥaddad* for sense, rather than *al-madīna kaifa tattaḥid* ("how a city is united") with Druart and the Leiden manuscript.

perform, the elderly cannot undertake and adequately perform. He explained this through a lengthy, extensive discussion.

4. [755b–756b] Then he explained that after ordering the inhabitants of the city, it is obligatory to order the warriors, their rulers, and their governors; for wars constitute one of the greatest factors[49] for cities. [D 143]

5. [755c–d?] Then he mentioned another notion with respect to ordering, namely, that the ordering that occurs at the outset may not be entirely correct. Thus if [the legislator] sees that some ruler is not accomplished in or is inadequate for the issue he is to execute and someone more skilled and accomplished in it is found, he should not hesitate to dismiss the first and put the second in his place so that the issue will proceed in as fine and as upright a manner as possible. Being heedful of rights[50] in such a situation is harmful.

6. Then he alluded to it being obligatory for complete care to be given to the issue of ministers, people with experience, advisers, and governors with an eye to times of consultation whether they are at war or in peace. For legislators and the inhabitants of cities cannot do without such people; therefore, ordering them is necessarily obligatory for the well-being of cities. He explained, moreover, that the honors bestowed on those so ordered differ. Among them, there is: a primary honor, such as extolling and glorifying the person himself;[51] a secondary honor, like benefit; a tertiary honor, like a noble promise; and a fourth honor, like appearing to be positively disposed and to hold out hope—without actually saying as much.

[755b–756b] The warriors have beneficial and financial honors that are also ordered according to a scale, and all of these ought to be tended to very well.

[756b–e] He explained, moreover, that it is obligatory for the rulers to present those who are lazy and stubborn with fines instead of honors in order to straighten out the city's affairs, because honors and fines lead to corruption of the law when they are not ordered naturally so that every deserving person receives his due.

49. Literally, "causes" or "reasons" (*asbāb*), here, as well as in 6.9, 6.14, 6.16, and 6.17 below.
50. Literally, "right" (*ḥaqq*).
51. Literally, "extolling and glorifying the [person's] soul" (*al-ʿizz al-nafsānī wa al-ijlāl*).

7. [756e–758a] Then he pointed out a subtle notion in connection with ordering, namely, that equality fosters friendship, both of which are to be preferred. Let no one presume that equality consists in placing those who are slavish and ignoble on the same level as the free and the virtuous in rank and honors. Rather equality consists in assigning each the status each deserves. This is the equality that fosters affection and friendship.

8. [757d–758a] Then he mentioned another useful notion, namely, that something may occur with a group composed of equals in ability and rank that necessitates delegating a particular issue to one of them rather than to another, thereby causing them to quarrel and have a change of heart. In a situation such as this, one should avail oneself of things such as drawing by lots, chance, and what resembles them. It falls to the legislator to take care of this situation completely.

9. Then he explained the issue of generosity and miserliness in connection with expenditures, because handing out stipends to people—given their differences and taking into account [how these affect] their expenditures and their openhandedness—is one of the most difficult factors for a regime. This is because anyone who takes his stipend and does not spend it so as to benefit his subordinates, but amasses it instead for himself, causes great harm. It is up to the rulers to investigate the issue of those who are like this—and the issue of extravagant people as well—and to prevent and obstruct them subtly. He elucidated this notion adequately and explained as well the issue of profligate people who increase their expenditures and stipends because their expenditures and stipends are spent on what begets great, harmful evils in the city and on what is ephemeral and, therefore, of no avail. [D 144]

10. [758a–e] Then he mentioned the issue of the guardians and the custodians. These are of two kinds: one consists of the guardians of the city like soldiers, night watchmen, and warriors; the other consists of the custodians of the laws and regimes like judges, preachers, governors, and advisers. He gave as an example a ship at sea. He mentioned further the usefulness of the institution of messengers and how it embodies alertness and eliminates laxness from issues entrusted to those who are ordered and keeps them at their post. This is an equitable Law, because assigning functions is enormously and completely useful.

11. [759a–b] Then he mentioned the issue of informers and spies who approach the inhabitants of the city and question them on behalf of their enemies. He commanded that this issue be watched closely and that one be wary of them.

12. Then he digressed to mention the substances of men and commanded something useful with respect to that, namely, selecting for important, urgent issues those legislators and also those rulers who are men with some experience in freedom so that, because of their fine natural dispositions, they will be furthest from evils.

13. Then he spoke extensively about natural orderings. ("Natural" means an adequate amount in proportion to the situation, the issue, and the condition: if [things call for] a hundred, then [provision should be made for] a hundred; if ten, then ten; if one, then one.)

14. [776b–778a?] Then he began with the issue of servants, explaining that the issue of servants is one of the important factors for the inhabitants of cities. They are of two sorts: one sort consists of slaves and handmaids; the other sort consists of animals that are needed in the city in peace and in war. It is obligatory for the legislator and the rulers after him to have in mind the issue of servants and their governance by setting down traditional laws for them and concerning them.

15. [761a–c] Then he described the issue of water since there is no way for the inhabitants of the city to settle down unless the governance of their water is extremely correct. It is up to the legislator and the rulers to take complete care of the issue of water and channeling it so that it is distributed equitably and not given abundantly in one place while lacking in another or given to some people while being kept from others.

16. [761a–c] Then he mentioned the issue of benevolent gifts in connection with sources [of water][52] like cisterns and travel facilities[53] for the needy. For that is one of the greatest factors causing cities to exist, flourish, and have lasting renown. It is up to the one who sets down traditional laws

52. The Arabic term *ma'ādin* means "sources" or "mines."

53. Literally, "causes" or "reasons" (*asbāb*), both here and in the last sentence of this section; similarly, the term translated as "factors" in the next sentence is *asbāb*.

and to the judges to be extremely solicitous about the maintenance of these facilities.

17. [761d–762b] Then he digressed to another notion from among the most important factors of the city, namely, the taxes that ought to be levied on the people—such as alms, land taxes, and the poll tax. These taxes are of two types: one is levied for [natural] resources;[54] the other is levied for humiliation—to keep the youth from inclining toward practices other than those of the legists and toward ways of life different from the ways of life and laws of the inhabitants of the cities. [D 145]

18. [761d–762b?] Then he mentioned the issue of crimes and punishments. There are two sorts of crimes: one sort concerns recalcitrance in obeying; the other sort concerns introducing what does not agree with traditional law. If it is committed by one of the ruled, it is up to the ruler to punish him with the punishment that the supreme legislator set down for that crime. If it is committed by a ruler, the other rulers must convene to discipline and reprimand him as the situation requires. For neglect of that will lead to the city's ruin and corruption.

19. Then he began to mention the stipends of the citizens and spoke of it extensively, having previously treated similar issues quite profusely. However, whereas the first one was set forth in a more general vein, this one was in a more specific one.

20. [764a–765d] Then he mentioned what ought to be taken care of with regard to the issue of the rulers of the musicians, because that is also obligatory in every time. However, the care for that was greater in those times. Thus he mentioned that there are two sorts of music: one sort exhorts to combat[55] and the activities of war; the other sort exhorts and conduces to the activities of peace and joyfulness. It is obligatory for the legislator and the rulers to order these [rulers of the musicians] as the laws require.

54. See n. 52.
55. The term is *jihād*.

Seventh Treatise

1. He set about in this treatise explaining the issue of reminders that are indispensable for the legislators to establish so that the reminders will be referred to in their times and after the end of the days of their lives. And, by means of an extensive discussion, he mentioned that this issue is necessary.

2. Then he divided them and said, "some of them are brought forth all at once when they [the legislators] first make their project apparent; some are brought forth one after another; and some are brought forth collectively at the end when they finish legislating their Laws, ordering their statutes, and establishing their traditional laws."

3. Then he mentioned that what is brought forth all at once at the outset is like something counterfeit because of the piecemeal changes and alterations that will be needed as was already mentioned with respect to something similar at some place in this book. That may become a defect in the eyes of the youth and those unsophisticated with respect to traditional laws. What is brought forth gradually, on the other hand, is fair and noble. What is brought forth last is the noblest of all, and the precautions taken in it are most effective.

4. Then he mentioned that what is said in them ought not to belittle the right of anyone who reflects on them and infers their meanings.

5. Then he gave examples drawn from the statements of poets who related the sayings of some ancient legislators and wondered at the rich meanings contained in those few utterances. [D 146]

6. Then he began to explain that these sayings may be innovations that the inhabitants of the cities need to learn and work hard to memorize or they may be innovations based on all that the inhabitants of the cities are already cognizant of. He brought forth examples drawn from ancient books of which they were cognizant.

7. Then he digressed to mention the sorts of things that ought to be set down in those books. He mentioned that the statutes[56] set down by the

56. Reading *fa-dhakar ann al-aḥkām* for sense, rather than the redundant *fa-dhakar ann dhikr al-aḥkām* ("he mentioned that mentioning the statements") with Druart as well as the Leiden and the Kabul manuscripts.

legislator are obviously to be established with the fairest detail and summary possible. Then, [they are to be followed with] exhortations that melt the hearts of the inhabitants of the cities on hearing them, move them to humility and sorrow, and foster in their hearts compassion and humility.

8. Then he brought forth parables with which the inhabitants of the cities will admonish themselves either about bygone peoples whose traces have vanished, leaving only their name, or else about beasts and their conditions, and then about strange matters that leave people perplexed about comprehending them. He described wonderful aspects of the advantages of these strange matters. One is the natural inclination of those who are unsophisticated, as well as the majority of people toward what their intellects find strange even though it is hard for them to perceive its real sense. Another is the wonder they display at some marvelous thing. Yet another is the way it leads to the continued existence of the law due to the people's being continually engaged in extracting the meanings of those strange matters.

9. Then he followed this by mentioning books generally known to the inhabitants of those cities engrossed in discovering their meanings; this became so widespread that poets like Homer and others mention it in their poetry.

10. Then he turned to and explained another notion by means of an extensive speech, namely, that it is obligatory on the legislator to oblige the inhabitants of the cities to preserve and study those sayings; and he is to establish this as one of the most important statutes of his law so that those sayings will not be obliterated.

11. Then he began to mention another notion with regard to the issue of legislators, namely, that none of them ought to repudiate anything that a previous legislator brought forth. When necessity prompts a legislator to change a statute of previous laws, let him repudiate instead the alteration made by the inhabitants of those cities in what was brought forth by their legislators and the distortion of the traditional laws and usages. Then, afterward, he may start[57] to replace [that] with what[58] is more appropriate. He spoke effusively on this subject.

57. Reading *yashraʿ* for sense, rather than *sharaʿa* ("he started") with Druart as well as the Leiden and Kabul manuscripts.

58. Reading *bimā* with the Kabul and Escorial manuscripts, rather than *innamā* ("now that") with Druart and the Leiden manuscript.

12. Then he turned to explain the issue of legislators who are brought forth afterward. He mentioned that when a legislator declares that someone else will succeed him, the thoughts and hearts of the inhabitants of the city—especially the unsophisticated ones—become preoccupied with expectation, and this diminishes their desire to adhere to what he himself brings forth. [D 147]

13. Then he himself explained that the legislator ought to be very wary of claiming that he will never have any successor whatsoever. For if that is publicized and then people see someone else appear after him with the passage of time, this will lead them to reject, disown, and discard all laws—his law, the law of his predecessor, and that of his successor. Rather, it is obligatory for him to steer a middle course between denying and confirming it. For example, he is to declare that someone will appear to defend him and his law when these statutes and traditional laws are obliterated as time moves on and people become corrupt. If they ask whether the future legislator will be as excellent as he, let him deny it, since it will not harm him. He brought forth examples drawn from the inhabitants of those cities and their legislators.

14. Then he began after that to explain that there are two sorts of traditional laws. One sort applies particularly to each of the legislators quickly and according to their need at the time as well as to the conditions of their cities. And [the second sort consists of] traditional laws that do not change or alter, namely, the natural ones. He spoke effusively on this subject, bringing forth examples relating to kinsmen, ingratitude for favors, and other things.

Eighth Treatise

1. [828a–c] He had mentioned the issue of festivals in a general way at the beginning of the book. Now, then, he started to mention ordering them. Thus he described a subtle notion that reveals a marvelous advantage of festivals other than the advantage he alluded to at the beginning of the book, namely, exalting the gods and restoring their renown. For exalting and esteeming the gods exalts the traditional laws and the laws. He mentioned that one ought to look into how many gods there are and institute for each one a festival and sacrifices by which the inhabitants seek to gain their favor.

2. [828c–829c] Then he mentioned that there are two sorts of gods, a sort in the heavens that are worshiped and another sort on earth that are esteemed but not worshiped. For each sort, the appropriate sacrifices and activities made obligatory by the law are to be ordered. He described the obligation during these festivals for the young people of the city, after having offered sacrifices, to occupy themselves with exercises that are beneficial to them in combat[59] so that they execute this with cheerfulness.

Let him permit them to sing during these festivals the kinds of songs that contain eulogies and condemnations in order that this lead them to adhere to traditional law with pleasure and cheerfulness. For listening to eulogies and criticisms that come about in an upright manner and as made obligatory by the law instills in the young people's hearts eagerness to acquire the virtues through combat; their eagerness will increase and augment, their hearts grow stronger, and their sense of indignation intensify.

Then, from those exercises performed by the young people at those festivals there come forth activities pertaining to combat demanding great valor that are beneficial to the city. [D 148]

3. [846d–847b] Then he mentioned another of the notions that the rulers of the city ought not to ignore, namely, that those who do the slaughtering for these sacrifices as well as the artisans needed to decorate the festivals are also parts of the city. Since they will be busy with their occupations,[60] they will miss[61] the benefits from attending the festivals. If they miss these [benefits], their consciences become corrupted. Now if their consciences become corrupted and they are numerous, that will lead to corruption in the city. For they are one of the major parts of the city. Therefore, it is obligatory that the rulers not allow a plethora of the city's inhabitants to become practitioners of such arts.

Let him set down for them, then, special permits so that the inhabitants of the city will not be corrupted by this, and let him disclose such base aspects of those arts so that—as a result of those base aspects being disclosed—only people with bad natural dispositions will aspire to them. Otherwise that will lead to weakening the role[62] of traditional laws.

59. The term translated as "combat" here and in the next two paragraphs is *jihād*.

60. Literally, "with their art" (*bi-ṣināʿatihim*).

61. Reading *fātathum* with the Kabul manuscript (Druart reads this as *fa-innahum*), rather than *fa-tuqawwimuhum* ("they will be constituted by") with Druart as well as the Leiden and Escorial manuscripts.

62. Literally, "issue" (*amr*).

4. [829e–834d] Then he came back to mention the exercises that are performed on festival days. He enumerated them and elucidated the issue, enumerating the advantages derived from them—such as various kinds of horsemanship, kinds of practice with weapons, and wrestling in the manner generally known in those days and times and among those groups.

5. [835b–841a] Then he mentioned that these pleasures associated with festivals enter people's hearts as a result of their being occupied with them during the festivals, so that they become overwhelmingly preoccupied with and attached to them on nonfestival days to the point where their preoccupation with them develops into preoccupation with pleasures outside the lawful traditions.[63] Thus, it is up to the legislator to be very mindful of this notion, especially in connection with intercourse and the pleasure associated with it, because it is one of the greatest causes of appetites and pleasures. While these things have a great usefulness, their harmfulness is also great. He spoke a great deal about this notion in particular and this subject, was ample in what he mentioned, and spoke effusively until he proceeded to advance beyond it to mentioning moderation.

6. [841a–c] Then he followed this by speaking about the other virtues and the stages of the young people in regard to them. He mentioned, moreover, how the virtues creep stealthily into the soul along with the display of lawful pleasures while the vices do so along with the display of unlawful pleasures, albeit slightly. That is because this notion is one of the most important issues that the legislator ought to take care of completely.

7. [835d–844d] Then he mentioned the difficulty of this subject and the difficulty of being mindful of and controlling it, because being mindful of and controlling something not distinguishable from its contrary is very difficult. That is because young people and those who are unscrupulous[64] adhere to beautiful appearances that lead them to what they want. As a result, it is hard for rulers to keep them away from what they adhere to. So they lose almost no time before they arrive at their bad appetites, and that ultimately leads to the corruption of the city.

63. Literally, "the lawful traditional laws" (*al-sunan al-nāmūsiyya*).
64. Literally, "companions of bad consciences" (*aṣḥāb al-ḍamā'ir al-radī'a*).

So it is up to the legislator to take care of each and every one of these issues and, moreover, the issues of the workers, artisans, farmers, and frontier settlers. Let him set down the traditional laws appropriate for making them upright. Then let him devote most of his concern to the issue of temples and esteemed places on earth so that they not change. For changing them will corrupt people's hearts, and corrupting their hearts will, in turn, throw the affair of the city into disorder.

It is up to the legislator [D 149] to teach the administrators[65] and judges how to govern each group of people so that they follow his way and pursue the correct course in that, thereby preventing dissension from arising as a result of badly governing them. He mentioned this notion and gave examples of free people and slaves and of the way people interact with bees in beehives—meaning by this only evil people and vagabonds.

8. Then he mentioned that a single administrator[66] and governor will not be cognizant of the usages, regulations, and customs of the inhabitants of all the regions. Thus one of them may be skilled in administering one group of people and the inhabitants of a particular country. If he is required to administer other groups—even if, for example, they were fewer in number—it will not be possible for him because of their usages, regulations, and customs that escape him and of which he is not cognizant. For this notion he gave examples drawn from administrators at sea and rulers on land. He spoke about this extensively.

9. [844d–845d] Then he started to explain two notions in one, namely, the issue of theft and that of property. He mentioned that it is more fitting not to punish those who, without permission, take property that is insignificant and that is impossible to store, because to dismiss this is manly and gives the inhabitants of the city a good name. But in the case of what can be stored and useful later if it is preserved, it is not base but fair to punish the one who takes it. From this it is clear that anyone who takes the likes of the former things from someone else's possessions is not to be punished like thieves who take things of value. For this notion he gave examples of fruits and other, similar things.

65. Literally, "companions of regimes" (*aṣḥāb al-siyāsāt*).
66. The term is *al-sā'is*; see preceding note.

10. [846d–847b] Then he digressed to mention the arts and crafts. He explained that it was obligatory for the inhabitants of the city to engage in each of the particular arts for which they are suited. It is obligatory that anyone who would shift[67] from one art to another for fun, diversion, or vanity, without this being called for by necessity, incompetence in the first art, or an obvious excuse or reason, be prevented from doing so by the governor of the city. If punishment is necessary to prevent that, let the person be punished and a fine be imposed on him. For switching from one art to another without an excuse is a powerful cause of confusion and corruption in the [proper] arrangements. He spoke a great deal further about this notion and about fines for it.

11. [847e–848c] Then he himself described the nourishment that is indispensable for the inhabitants of the city. He mentioned that it is obligatory for the administrators[68] of cities to have control over this issue and that those who set down traditional laws should not overlook it. Rather, they should order statutes concerning them to straighten the matter out. These include nourishment for the inhabitants of the city themselves, then nourishment for their slaves, then nourishment for their animals and, finally, what is left over—which they will generously offer to one another.

12. [848c–849a] Then he described the issue of sites in which the gods are worshiped and the issue of places of assembly in which the inhabitants of the city can come together for one or another type of their common interests—like markets. For it is up to the legislator and the rulers of the city to direct their attention to this issue. [D 150]

13. [849a–850c] Then he explained that looking into the issue of sales and purchases so that they will be conducted uprightly is obligatory as well; likewise, the issue of the equipment needed for bodies, sites, mosques, wars, and other things; then the issue of contracts, registrations, deposits, debts, and deeds—for it may be obligatory on the legislator to take care of all of these. He mentioned all these things in a sound discussion at the end of this treatise. The way he meant it will be clear to anyone who reflects on it and is cognizant of the intention of his that we mentioned.

67. Or, more literally, "digress" (*'adal*).
68. The term is *suwwās* and is the plural of *sā'is*; see n. 66.

Ninth Treatise

1. Up to this point he discussed the roots of the laws and what issues it is obligatory on the legislator to care for and not neglect in any way, namely, the regulations and the roots.

2. [854b–c] Then he began now in this treatise to explain things that adorn the law and enhance it and that are the consequences of those roots. He explained that the good inhabitants of this city cannot dispense with practice in adhering to these benevolent actions and consequences, because the free person always obeys voluntarily while the slave must be commanded. It is obligatory for the virtuous legists to take complete care of what adorns traditional laws, establishing them so that the virtuous inhabitants of the city adhere to obeying them voluntarily and come to be good and happy. He gave as examples visiting holy houses, constructing them, and associating with virtuous people.

3. [853a–855c] Then he mentioned what ought to be done with the evil inhabitants in the way of punishment for those crimes of theirs such as not venerating houses of worship as well as not venerating ancestors and rulers. He mentioned that things such as these are entrusted to judges so that criminals are punished as they deserve to be—by being beaten, killed, fined, or something similar.

4. [855a] Then he explained that if the children and relatives of those on whom any of these punishments are inflicted repudiate them and are wary of their company, this is very praiseworthy; and they ought to be honored in the city because it indicates their fine natural disposition. He mentioned that anyone who opposes such beating and punishments and does not approve of them causes great harm to traditional laws and is more harmful to them than a warring enemy.

5. Then he described an aspect of the issue of inheritances, namely, if someone grows up in the city who is more fit for issues previously handled by the aged, let that issue be handed over to him. And if the former dies, the latter will take his place. [D 151]

6. [857a–b] Then he began to expound on the issue of punishments and compensations. He gave as an example theft and other things. If the

thief returns double the amount he took and repents, the punishment of imprisonment and beating will be dismissed. He brought forward other examples.

7. [858c–859b] Then he explained that when the people are good and virtuous, they have no need at all of traditional laws or laws and are very happy. Only those whose moral habits are not valid and upright need laws and traditional laws. He mentioned, moreover, that the reminders the inhabitants of the city find among ancient traditional laws and, similarly, the reminders found in the sayings of the poets, in popular traditional laws, and in famous proverbs benefit them by lessening the need for legislators and by refining the moral habits.

8. [860d–863a] Then he mentioned, moreover, evils done voluntarily and deliberately and those done as a result of natural disposition without deliberation. He mentioned that none of them is in harmony with the traditional laws but instead harm them and corrupt the city's affairs. He mentioned that punishments must be applied to both sorts [of evils]. He spoke extensively about whether injuries that some inhabitants of the city inflict on others are voluntary or involuntary or, rather, out of necessity. He mentioned statutes for them that were generally known to those people. He also explained that notion with respect to justice, injustice, and everything else that takes place in part voluntarily and in part involuntarily.

9. [859c–864c] Then he set about explaining another notion very useful to be cognizant of, namely, that justice is noble. Are, then, all its actions and consequences noble or not? That is, retaliation and punishment for crimes pertain to justice. If one looks into these actions themselves—killing, beating, fining, and similar things—they are, in themselves, perhaps not noble. He gave as an example someone who, having plundered one of the houses of worship, is brought forward and beaten or killed.

He spoke effusively about voluntary and involuntary things, regardless of whether they were noble or base. His purpose in most of this is to explain by what he says whether someone who is born and raised in accordance with the traditional laws, who is not cognizant of any others, and who does nothing other than what is made obligatory by the traditional laws is virtuous and praiseworthy or not. For there continues to be great disagreement among people about this and about whether punishment is obligatory for someone who commits a crime without deliberation on account of his natural disposition, regardless of whether it be an

immediate or a future punishment. Upon my life, this notion is exceedingly useful when it is truly expounded.[69]

Amid his statements, he carried on an unconnected discussion in various places. By all of that, he indicates that anyone who has the ability to deliberate and to avoid base things, but neglects himself to the point where he is naturally disposed to commit blameworthy things, will surely incur punishment sooner or later for all he commits.

10. [864d–882c] Then he explained the punishments and divided them according to the kinds of crimes in accordance with what was generally known to them in those times. [D 152]

[Conclusion]

Abū Naṣr al-Fārābī said: "This much of the book has reached us, and we managed to get hold of it. We reflected on it, leafed through it, and extracted those of its notions that dawned on us and that we knew the sage[70] had intended to explain. He perhaps entrusted to his sayings from which we extracted these notions subtleties, details, and useful notions that are several times more than what we mentioned. Nevertheless, he did intend to explain what we brought forth. In bringing it forth, we anticipated recompense and a noble name."

He said: "There remained treatises of this book no copy of which reached us."

He said: "There is disagreement among people as to the number of treatises in this book; some claim there are ten, and some claim there are fourteen. But only those treatises that we discussed have fallen into our hands."

This is the end of the *Laws* by the magnificent, great, and divine Plato, may the most excellent peace be his, expounded on by the Master, the Second Teacher, Abū Naṣr Muḥammad Ibn Muḥammad Ibn Ṭarkhān, may God sanctify his cherished spirit.

Completed in 692 [AH = 1294 CE].

69. Literally, "a true commentary on it is made" (*lukhkhiṣ ḥaqq al-talkhīṣ*).
70. That is, Plato.